

Application No.: 10/762,881

Docket No.: 02309/0200763-US0

REMARKS

Pending Claims

Claims 1-4 are pending. Claims 5-7 have been withdrawn from consideration. Claim 8 has been added. Claim 8 is supported by claim 1 and the specification and the drawings. No new matter has been added.

Information Disclosure Statement

It is alleged in the Office Action that foreign documents were not filed along with the IDS. However, the attached documents (Exhibit A) show that the foreign documents were included with the IDS filed April 6, 2004. It appears that the foreign documents were lost within the USPTO, and therefore, copies of the foreign documents are again provided herein for consideration. Because the foreign documents were provided by Applicants properly and timely with the April 6 IDS, Applicants respectfully request that the foreign documents be considered fully.

Claim Rejections -- 35 USC §103

Claims 1-4 have been rejected under 35 USC §103 as being unpatentable over Passafiume in view of Pfaff, Jr.

Applicants respectfully submit that the cited prior art references do not disclose, teach, or suggest the invention as set forth in claim 1 for at least the following reasons.

Claim 1 as amended recites as follows:

Claim 1 (currently amended): A rotary cutter comprising:
a first roll rotatable about a first roll axis; and
a second roll rotatable about a second roll axis which is parallel to the first roll axis;
a first cutting blade and a first abutment which are provided on a periphery of the first roll and a second cutting blade and a second abutment which are provided on a periphery of the second roll;
synchronizing means for synchronizing each rotation of the first roll and the second roll so that when the first roll and the second roll rotate in synchrony the first cutting blade

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Claims 2-4 which depend from claim 1 are not obvious for at least the same reason a claim 1.

New claim 8 having similar features as claim 1 is not obvious for at least the same reasons as claim 1.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

Chris T. Mizumoto
Registration No.: 42,899
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant

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